

REMARKS/ARGUMENTS

Single independent claim 1 and claims 2-5, 7 and 8 depended from claim 1 remain in this application for examination, claim 6 having been cancelled without prejudice or disclaimer.

Claims 1-8 are rejected under 35 U.S.C. §102(b) as being anticipated by Woods '836. Applicant respectfully traverses this rejection. Woods '836 is directed to a substantially different structure in that Woods '836 discloses a waste water fitting support for merging seepage water with waste water that is passed through a waste water fitting. More specifically, Woods '836 is directed to a waste water fitting for bathroom and shower floors, rather than to Applicant's claimed downpipe connector system in which a downpipe connector is configured for attachment relative to a channel in a canale. The word "canale" recited in claim 1 refers to drainage structures in older style buildings in Mexico and in the southern United States wherein "canales" appear as logs protruding from the outside walls of a building as if they are part of the support structure for flat roofs of the buildings. Canales are in fact short sections of true logs that have been channeled out on the top side to form a gutter and are typically fitted flush with the inside of the parapet wall with the top of the canales flush or slightly lower than the flat roof surface.

Applicant's claimed downpipe connector system is not a waste water fitting of the type illustrated in Woods '836, wherein the fitting is substantially circular when viewed from above and has a progressively smaller diameter top to bottom. Woods '836 is not configured for draining water from a roof which is first collected in the channel of a canale. As claimed by Applicant, the canale 10 has a channel 13 therein with a transverse wall, such as the illustrated transverse wall 33, which is spaced from the base 12 of the channel 13 to define flow passages located at the sides of the upstanding wall between the lower edge of the transverse wall and the base of the channel. In that no

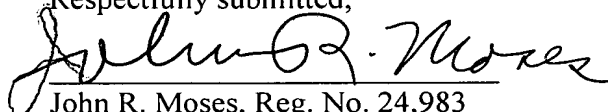
such structure occurs in Woods '836, it is respectfully submitted that Woods '836 does not disclose each of the structures recited in single independent claim 1 and therefore the rejection under 35 U.S.C. §102(b) of claim 1 and the claims depended therefrom should be withdrawn.

Although it is respectfully submitted that the subject matter of new claim 9 is implicit in the recitation of the term "canale" recited in claim 1, Applicant has added a single new independent claim specifically reciting the location of the canale with respect to the roof.

In that this is a full and complete response to the Office Action of October 6, 2004, this application is now in condition for allowance. If the Examiner for any reason feels a personal conference with Applicants' attorneys might expedite prosecution of this application, the Examiner is respectfully requested to telephone the undersigned locally.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John R. Moses", is written over a horizontal line.

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In the Drawings:

Applicant proposes to amend the drawings as shown in red in Figs. 2 and 3 at the end of this reply.